30

15/10/07

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.6242/2007

Single Bench: **Hon'ble Shri Dilip Raosaheb Deshmukh, J.**

Petitioners (Claimants)

1. Smt. Jamun Bai, age-31 yrs. W/o Late Amit jagat,
2. Ku. Ansuiya Jagat, (Minor) age-11 yrs, D/o Late Amit Jagat,
3. Indrajeet Jagat, (Minor) Age-09 yrs. S/o Late Amit Jagat,

Petitioner No.02 & 03 are Minor represented by petitioner No.01, Mother in relation By-Profession:- House Wife,
R/o Village – Mundipar,
Tahsil & District Mahasamund (CG)

Versus

Respondents (Non-applicants)

1. Rahman Khan, Age-29 yrs, S/o Shamsher Khan, Driver, R/o Village-Piproud, Tahsil & District Mahasamund (CG) [Driver of Truck No.C.G.-06/B/2355]
2. Gajendra Chowdhary, age-44 yrs, S/o Gayaram Chodhary, R/o Village-Sankara, P.S. Basna, Tahsil & District:- Mahasamund (CG) [Owner of Truck No. C.G.-06/B/2355]
3. The New India Insurance Co. Ltd., D.O. Near Civil Court Chowk Raipur, Raipur, Distt. Raipur (CG0 [Insurer of Truck No.CG.06/B/2355]

Writ petition under Article 227 of the Constitution of India for the issuance of the direction (s), or orders(s)

Present:-
Shri J.A. Lohani, counsel for the petitioners.

ORAL ORDER
(Passed on 12th October, 2007)

Learned counsel for the petitioners prays for permission to withdraw this writ petition while praying for liberty to file a fresh application for withdrawal of the amount of compensation, deposited as a fixed deposit by

submitting full particulars i.e., documentary proof and affidavit relating to the construction of the house before the M.A.C.T.

(2) Reserving the aforesaid liberty as prayed for, this writ petition is dismissed as withdrawn.

(3) Upon such an application being filed, the M.A.C.T. shall decide it on its own merit.

Sd-/
Dilip Raosaheb Deshmukh
Judge